

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF MICHIGAN**

TIMOTHY BOZUNG, individually and on behalf of all others similarly situated,

Plaintiff,

$$V.$$

CHRISTIANBOOK, LLC f/k/a CHRISTIAN
BOOK DISTRIBUTORS CATALOG, LLC,

Defendant.

Hon. Hala Y. Jarbou
Case No. 22-cv-00304-HYJ-RSK

**DEFENDANT’S UNOPPOSED MOTION TO EXTEND THE DEADLINE TO RESPOND
TO PLAINTIFF’S MOTION FOR RELIEF FROM JUDGMENT PURSUANT TO FED.
RC. CIV. P. 59(e) & FED. R. CIV. P. 60(b) AND FOR LEAVE TO FILE SECOND
AMENDED COMPLAINT PURSUANT TO FED. R. CIV. P. 15(a) (ECF NO. 58)**

Defendant Christianbook, LLC (“Christianbook” or “Defendant”), through its undersigned counsel, hereby moves pursuant to Fed. R. Civ. P. 6(b), and respectfully requests that the Court extend its deadline to file its response to Plaintiff’s Motion for Relief from Judgment Pursuant to Fed. R. Civ. P. 59(e) & Fed. R. Civ. P. 60(b) and for Leave to File Second Amended Complaint Pursuant to Fed. R. Civ. P. 15(a) (ECF No. 58) (the “Motion for Relief”) to April 4, 2023. Plaintiff does not oppose the relief requested. In support of its motion, Christianbook states as follows:

1. On March 31, 2022, Plaintiff filed a Complaint and Demand for Jury Trial (“Complaint”) against Christianbook in the Western District of Michigan.
2. On July 1, 2022, Plaintiff filed a First Amended Complaint (“FAC”), which Defendant moved to dismiss for failure to state a claim on July 15, 2022.
3. On March 6, 2023, this Court granted Defendant’s Motion to Dismiss, and issued an order and judgment dismissing Plaintiff’s FAC without prejudice for failure to state a claim.

4. On March 14, 2023, Plaintiff filed his Motion for Relief.

5. Defendant intends to respond to Plaintiff's Motion for Relief, and its deadline to do so is March 28, 2022.

6. Plaintiff's Motion for Relief references and incorporates certain confidential discovery material Christianbook and certain non-parties produced in response to discovery propounded by Plaintiff in the now-dismissed action.

7. The undersigned counsel requires additional time to review internally and with Christianbook the confidential discovery material Plaintiff referenced and incorporated in his Motion for Relief, and to prepare its response. Christianbook therefore requests an extension of 7 days, to April 4, 2023, to file its response to Plaintiff's Motion for Relief.

8. This is Christianbook's first request for an extension of time, and the requested extension will not prejudice either party or cause any undue delay.

9. In accordance with L.R. 7.1(d), on March 20 and March 22, 2023, Christianbook's counsel contacted Plaintiff's counsel via email regarding the relief requested here. On March 22, 2023, Plaintiff's counsel responded that Plaintiff does not oppose Defendant's motion.

WHEREFORE, Christianbook respectfully requests that the Court enter an order granting an extension of the date by which Christianbook must file its response to Plaintiff's Motion for Relief to April 4, 2023.

/s/ Matthew J. Boettcher

Matthew J. Boettcher
Mboettcher@plunkettcooney.mom
Patrick C. Lannen
Plannen@plunkettcooney.com
Plunkett Cooney, PC
38505 Woodward Ave., Ste. 100
Bloomfield Hills, MI 48304
Tel.: (248) 901-4035
Fax: (248) 901-4040

Jennifer L. Chunias
JChunias@goodwinlaw.com
Timothy Bazzle
tbazzle@goodwinlaw.com
Goodwin Procter LLP
100 Northern Avenue
Boston, Massachusetts 02210
Tel.: (617) 570 1000
Fax.: (617) 523 1231

Attorneys for the Defendant

Dated: March 22, 2023

CERTIFICATE OF SERVICE

I hereby certify that, on March 22, 2023, a true and correct copy of the foregoing was electronically filed with the Clerk of the Court by using the CM/ECF system, which caused it to be served on all counsel of record.

/s/ Matthew J. Boettcher
Matthew J. Boettcher